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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,836	08/21/2003	Rolf E. Carlson	IGAM.003CPI	3025

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EXAMINER

HOFFMAN, BRANDON S

ART UNIT	PAPER NUMBER
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2136

NOTIFICATION DATE	DELIVERY MODE
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10/31/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.		Applicant(s)	
	10/658,836		CARLSON ET AL.	
	Examiner		Art Unit	
	Brandon S. Hoffman		2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 17 July 2007.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) See Continuation Sheet is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 29-32,35-43,49,56-58,60-72,93,94,96,100,101,103-106,112,113,115,117,119-124,131,136,144,145,151,152,155,157,161 and 165-167.

Continuation of Disposition of Claims: Claims rejected are 29-32,35-43,49,56-58,60-72,93,94,96,100,101,103-106,112,113,115,117,119-124,131,136,144,145,151,152,155,157,161 and 165-167.

DETAILED ACTION

1. Claims 29-32, 35-43, 49, 56-58, 60-72, 93, 94, 96, 100, 101, 103-106, 112, 113, 115, 117, 119-124, 131, 136, 144, 145, 151, 152, 155, 157, 161, and 165-167 are pending in this office action.
2. Applicant's arguments, filed July 17, 2007, have been considered but they are moot in view of the new ground of rejection.

Claim Rejections

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 29-32, 35-43, 49, 56-58, 60-72, 93, 94, 96, 100, 101, 103-106, 112, 113, 115, 117, 119-124, 131, 136, 144, 145, 151, 152, 155, 157, 161, and 165-167 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harlick (U.S. Patent No. 4,636,951) in view of Wells et al. (U.S. Patent No. 6,805,634).

Regarding claims 29, 56, 93, 101, 103, 105, 112, 131, 151, 165, and 166, Harlick teaches in an authorization agent, a method of generating a gaming transaction record

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used to facilitate a transfer of gaming information between two gaming devices, the method comprising:

- Receiving a gaming transaction request from a first gaming device (col. 3, lines 62-64);
- Generating a gaming transaction record comprising gaming transaction information (col. 1, lines 21-31);
- Sending a message to the first gaming device wherein the message includes information authorizing the first gaming device to transfer the gaming information to the second gaming device wherein the first gaming device and the second gaming device are separate from the authorization agent (col. 2, lines 62-67 and fig. 2, ref. num 100x-z and 101);
- Wherein the gaming information is for a game of chance played on a gaming machine (col. 2, lines 29-32).

Harlick does not teach authenticating an identity of the first gaming device.

Wells et al. teaches authenticating an identity of the first gaming device (col. 9, line 67 through col. 10, line 19).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine authenticating an identity of the first gaming device, as taught by Wells, with the method of Harlick. It would have been obvious for such

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modifications because an authenticated first gaming device prevents hackers from illegally logging into the first gaming device and transferring credits to a second gaming device in order to steal a players legitimate winnings (see col. 2, lines 62-67 of Harlick).

Regarding claims 30, 58, 100, 121, 144, and 161, Harlick as modified by Wells et al. teaches wherein the game of chance is a video slot game, a mechanical slot game, a lottery game, a video poker game, a video black jack game, a video lottery game, and a video pachinko game (see col. 8, lines 5-11 of Wells et al.).

Regarding claims 31, 57, 66-68, 106, 123, 124, and 157, Harlick as modified by Wells et al. teaches wherein the first gaming device is at least one of a gaming machine, game server, and combinations thereof (see col. 4, lines 10-12 of Wells et al.).

Regarding claims 32, 96, and 117, Harlick as modified by Wells et al. teaches wherein the gaming software transaction request comprises access information and gaming software identification information (see col. 3, lines 48-60 of Wells et al.).

Regarding claims 35, 37, and 60, Harlick as modified by Wells et al. teaches further comprising comparing [access/software identification] information in the gaming software transaction request with [access/software identification] information stored in a database (see col. 3, lines 48-60 of Wells et al.).

Regarding claims 36, 38, 61, and 113, Harlick as modified by Wells et al. teaches when the compared [access/software identification] information does not match the access information stored in the database, denying the gaming software transaction request (see col. 3, lines 48-60 of Wells et al.).

Regarding claims 39 and 40, Harlick as modified by Wells et al. teaches further comprising:

- Generating an identification sequence;
- Encrypting the identification sequence with a public encryption key for the first gaming device;
- Wherein information encrypted with the public encryption key is decrypted with a private encryption key used by the first gaming device; and
- Sending the encrypted identification sequence to the first gaming device,
- Wherein the identification sequence is a symmetric encryption key used to encrypt gaming software transferred between the first gaming device and the second gaming device (see col. 3, lines 48-67 and col. 10, lines 18-28 of Wells et al.).

Regarding claims 41 and 42, Harlick as modified by Wells et al. teaches further comprising:

- Receiving from the first gaming device a second identification sequence encrypted with a public encryption key used by the software authorization agent;

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- Decrypting the second identification sequence with a private encryption key corresponding to the public encryption key used by the software authorization agent;
- Comparing the second identification sequence to the identification sequence sent to the first gaming device to authenticate the identity of the first gaming device,
- Wherein the second identification sequence is a symmetric encryption key used to transfer gaming software between the first gaming device and the second gaming device (see col. 3, lines 48-67 and col. 10, lines 18-28 of Wells et al.).

Regarding claim 43, Harlick as modified by Wells et al. teaches when the second identification sequence received from the first gaming device does not match the identification sequence sent to the first gaming device, denying the gaming software transaction request (see col. 3, lines 48-60 of Wells et al.).

Regarding claims 49, 69, 94, 115, 145, and 155, Harlick as modified by Wells et al. teaches wherein the software authorization agent communicates with the first gaming device using a local area network, a wide area network, a private network, a virtual private network, the Internet, and combinations thereof (see col. 12, lines 52-59 of Wells et al.).

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Regarding claim 62, Harlick as modified by Wells et al. teaches further comprising decrypting the download request message (see col. 10, lines 24-26 of Wells et al.).

Regarding claim 63, Harlick as modified by Wells et al. teaches further comprising receiving a first download acknowledgement message from the first gaming device and receiving a second download acknowledgement message from the second gaming device (see col. 3, lines 48-67 and col. 10, lines 18-28 of Wells et al.).

Regarding claim 64, Harlick as modified by Wells et al. teaches further comprising comparing gaming software transaction information in the first download acknowledgement message with gaming software transaction information in the second download acknowledgement message to validate that the gaming software has been correctly transferred (see col. 3, lines 48-67 and col. 10, lines 18-28 of Wells et al.).

Regarding claims 65, 104, and 122, Harlick as modified by Wells et al. teaches wherein the gaming software transaction information in the first download acknowledgement message includes at least a first digital signature determined for the gaming software and the gaming software transaction information in the second download acknowledgement message includes at least a second digital signature determined for the gaming machine (see col. 3, lines 48-67 and col. 10, lines 18-28 of Wells et al.).

Regarding claim 70, Harlick as modified by Wells et al. teaches wherein the software authorization agent and the first gaming device communicate with another using at least one of a satellite communication connection, a RF communication connection, and an infrared communication connection (see col. 12, lines 52-59 of Wells et al.).

Regarding claim 71, Harlick as modified by Wells et al. teaches further comprising receiving the gaming software from the first gaming device, validating the gaming software, and sending the gaming software to the second gaming device (see col. 10, lines 2-28 of Wells et al.).

Regarding claim 72, Harlick as modified by Wells et al. teaches further comprising determining a digital signature for the gaming software and comparing the digital signature with an approved digital signature for the gaming software stored in a database to validate the gaming software (see col. 10, lines 19-28 of Wells et al.).

Regarding claim 105, Harlick as modified by Wells et al. teaches further comprising authenticating an identity of the second gaming device (see col. 9, line 67 through col. 10, line 19 of Wells et al.).

Regarding claim 119, Harlick as modified by Wells et al. teaches wherein the gaming software identification information is one or more of a gaming software title, a

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gaming software provider identifier, a gaming software version number, and a gaming software identification number (see col. 8, lines 5-11 and 44-51 of Wells et al.).

Regarding claim 120, Harlick as modified by Wells et al. teaches wherein the gaming software transaction information is one or more of a transaction encryption key, a public encryption key used by the second gaming device, a transaction number, a time stamp, a transaction expiration time, a destination identifier, a destination machine identification number, a gaming software identification number, a gaming software provider identifier, a number of allowable downloads, and combinations thereof (see col. 3, lines 53-55 of Wells et al.).

Regarding claims 136 and 152, Harlick as modified by Wells et al. teaches a memory that stores gaming software, memory that stores public encryption keys, and a master gaming controller that controls a game of chance (see col. 3, lines 48-67 of Wells et al.).

Regarding claim 167, Harlick as modified by Wells et al. teaches wherein the gaming information comprises at least one encryption key (see col. 10, lines 19-28 of Wells et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon Hoffman/

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